

Medical Services Advertising Advisory

It is illegal in ILLINOIS to run testimonials in advertising that offers medical services. The following sections, taken from the Illinois Medical Practice Act delineate acceptable advertising practices:

60/26. Advertising

§ 26. Any person licensed under this Act may advertise the availability of professional services in the public media or on the premises where such professional services are rendered. Such advertising shall be limited to the following information:

- (a) Publication of the person's name, title, office hours, address and telephone number;
- (b) Information pertaining to the person's areas of specialization, including appropriate board certification or limitation of professional practice;
- (c) Information on usual and customary fees for routine professional services offered, which information shall include, notification that fees may be adjusted due to complications or unforeseen circumstances;
- (d) Announcement of the opening of, change of, absence from, or return to business;
- (e) Announcement of additions to or deletions from professional licensed staff;
- (f) The issuance of business or appointment cards.

It is unlawful for any person licensed under this Act to use testimonials or claims of superior quality of care to entice the public. It shall be unlawful to advertise fee comparisons of available services with those of other persons licensed under this Act.

This Act does not authorize the advertising of professional services which the offeror of such services is not licensed to render. Nor shall the advertiser use statements which contain false, fraudulent, deceptive or misleading material or guarantees of success, statements which play upon the vanity or fears of the public, or statements which promote or produce unfair competition.

60/27. Advertising violations - Third party payments

§ 27. It is unlawful and punishable under Section 59 for any person licensed under this Act to knowingly advertise that the licensee will accept as payment for services rendered by assignment from any third party payor the amount the third party payor covers as payment in full, if the effect is to give the impression of eliminating the need of payment by the patient of any required deductible or copayment applicable in the patient's health benefit plan.

As used in this Section, "advertise" means solicitation by the licensee or through another by means of handbills, posters, circulars, motion pictures, radio, newspapers, television or in any other manner.